

attached hereto as Exhibit B). On June 5, 2001 we received a Notice of Incomplete Reply (copy attached hereto as Exhibit C) indicating that we did not reply to an Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)). Please refer to the Notice (Exhibit A) dated March 21, 2001 which does not indicate on the notice that we should have responded to the Abstract, therefore, we did not reply. We do not feel that an extension of time is warranted for a response we did not need to comply to.

Per her request, this information was faxed to Mrs. Ivey at 703-308-7751 on June 13, 2001 for her review. We again contacted Mrs. Ivey on July 10, 2001, and due to moving situations, she still could not help us.

If the Examiner disagrees with our argument regarding the said extension of time due, the Examiner is herein requested to call applicants' attorney at the phone number noted below as soon as possible to clarify.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

WALL MARJAMA & BILINSKI

By: George S. Blasiak ✓
George S. Blasiak
Reg. No. 37,283

GSB/ts
101 South Salina Street, Suite 400
Syracuse, NY 13202
Telephone: (315) 425-9000
Facsimile: (315) 425-9114

Customer No.: 020874

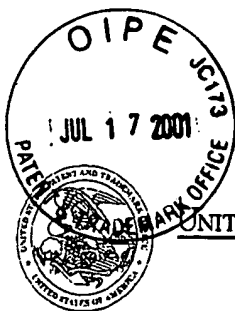
"VERSION WITH MARKINGS TO SHOW CHANGES MADE."

In the Specification:

The Abstract beginning on page 25, line 1, has been amended as follows:

ABSTRACT

The invention is a hand-held eye viewing device adapted to be readily positioned in an operative radial displacement, angular orientation and axial standoff position relative to an eye. The eye viewing device includes an eye cup extending from a patient end of the device having a patient end adapted to be received at a patient's eye orbit. [An outer diameter of a patient end of the eye cup is sized to correspond to a patient eye orbit such that a viewing axis is substantially centered on patient's pupil when the eye cup is received at an eye orbit. The eye cup is preferably made deformable so that patient comfort is improved and further so that contact of the eye cup with an eye orbit alerts a physician that the device is approaching an operative axial standoff position. The eye cup may also be made so that the device pivots about a pivot point toward a patient end of the eye cup such that the angular orientation of the device can be adjusted without disrupting the device's operative radial displacement and axial standoff positioning. The eye cup further blocks ambient light from impinging on an eye, thereby substantially eliminating a source of external glare.] By allowing the eye viewing device to be stabilized against an eye orbit the eye cup eases the task of maintaining an operative position once an operative position has been achieved.

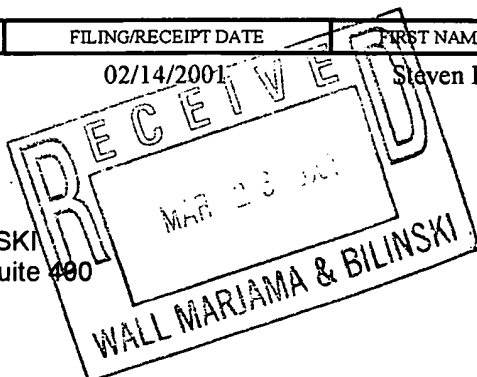


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/783,224	02/14/2001	Steven R. Slawson	281-345

George S. Blasiak
WALL MARJAMA & BILINSKI
101 South Salina Street, Suite 400
Syracuse, NY 13202



CONFIRMATION NO. 1587

FORMALITIES LETTER



OC000000005886547

Date Mailed: 03/21/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 1A described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Saunder

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

May 21, 2001

RECEIVED

Steven R. Slawson; Chris R. Roberts; Allan

Docket No.: 281-345

AUG 20 2001

I. Krauter; Ervin Goldfain

Art Unit: 2873

TC 2800 MAIL ROOM

Filed: February 14, 2001

Examiner: Not Assigned

Ser. No.: 09/783,224

For: EYE VIEWING DEVICE COMPRISING EYE CUP



Assistant Commissioner for Patents
Washington, DC 20231

ATTENTION: DRAWING PROCESSING BRANCH

COMMUNICATION

Sir:

Enclosed herewith for filing are 5 sheets of formal drawings (Figs. 1A-4E).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

WALL MARJAMA & BILINSKI

By:

George S. Blasiak
Reg. No. 37,283

GSB/ts
101 South Salina Street, Suite 400
Syracuse NY 13202
(315) 425-9000
Customer No. 020874

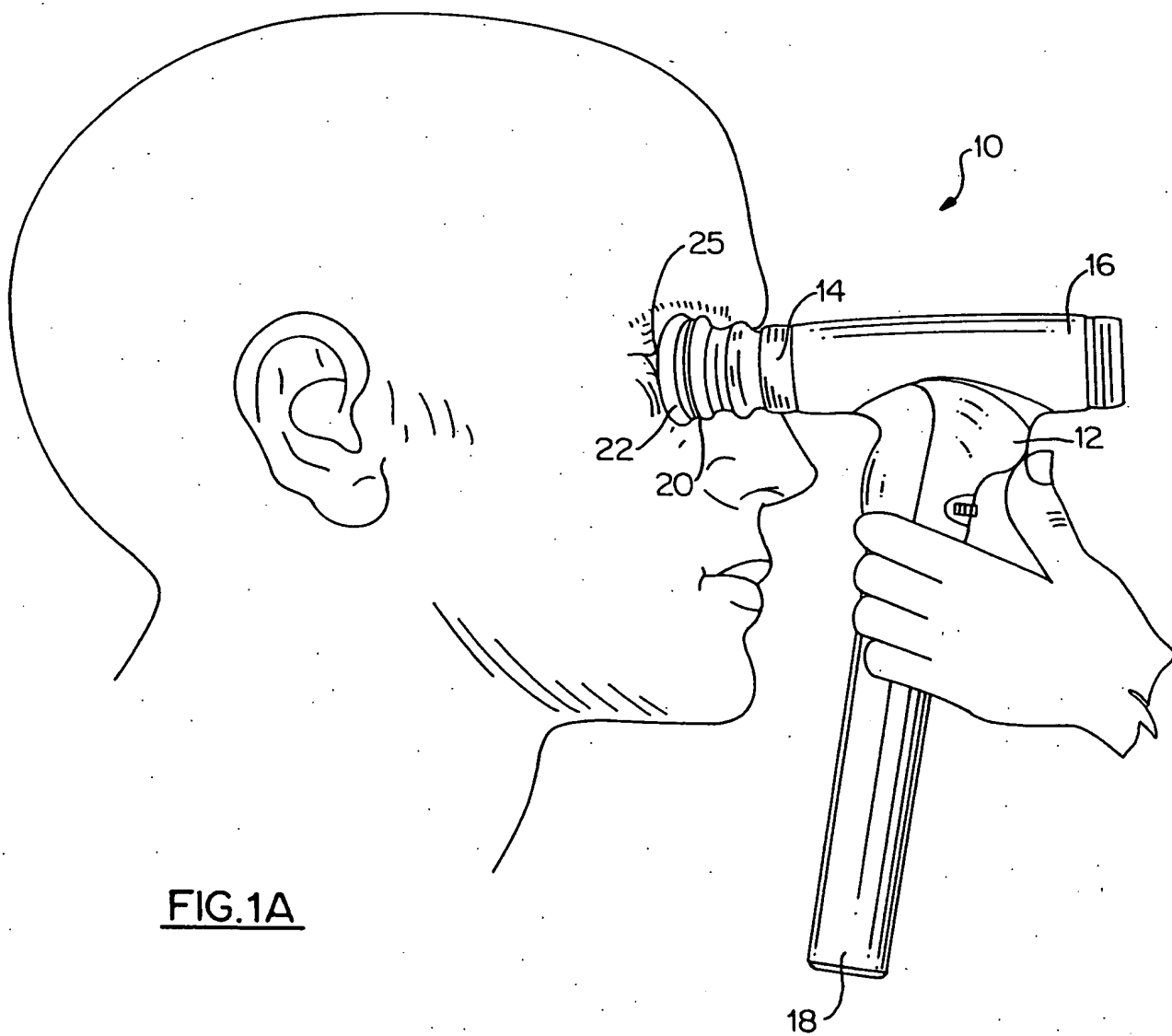


FIG.1A

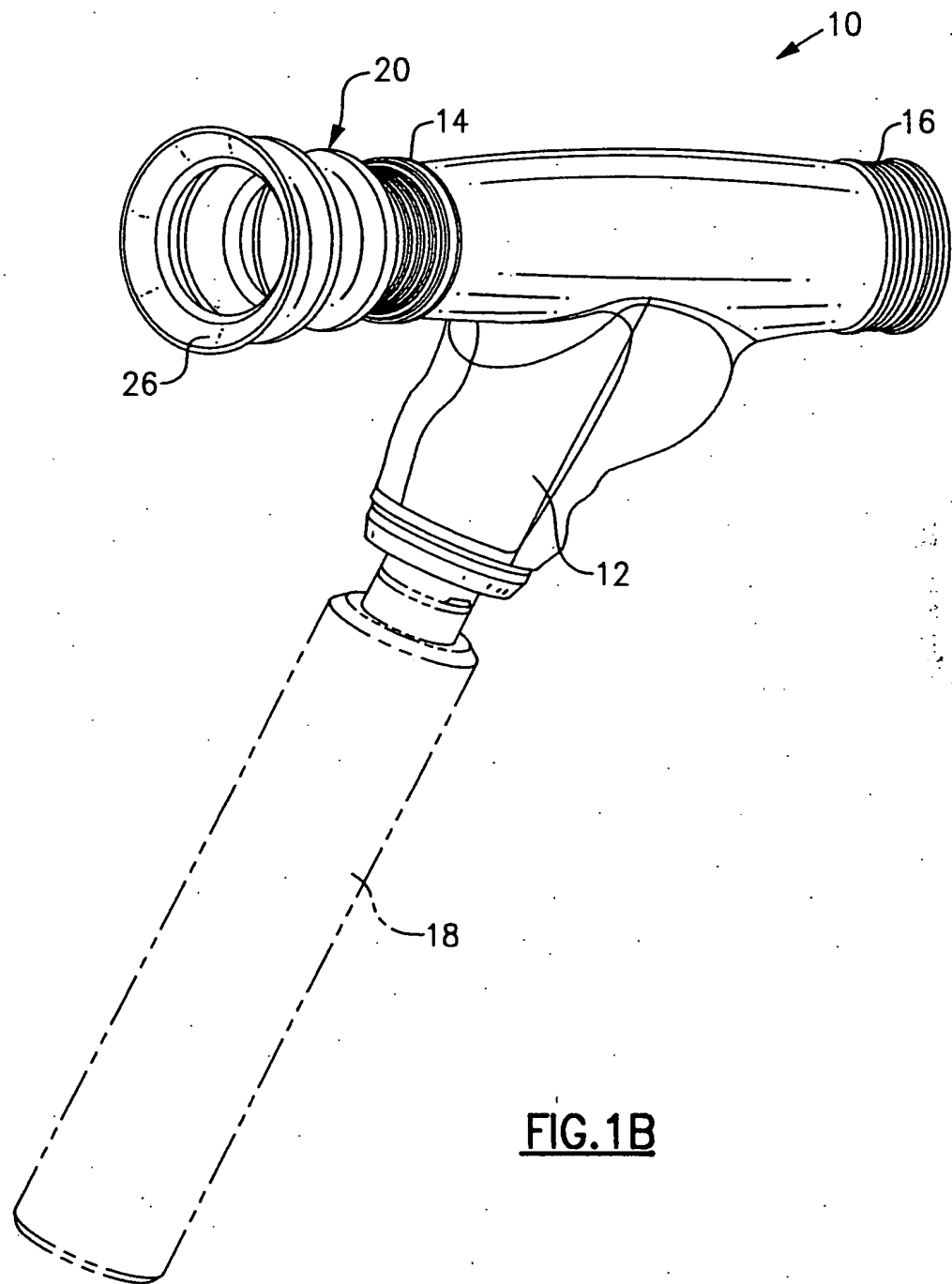


FIG. 1B

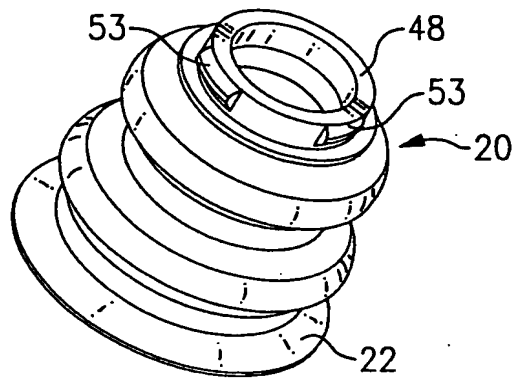


FIG. 2A

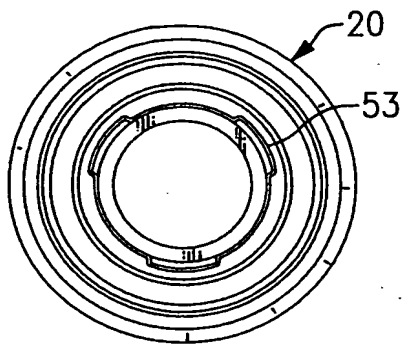


FIG. 2B

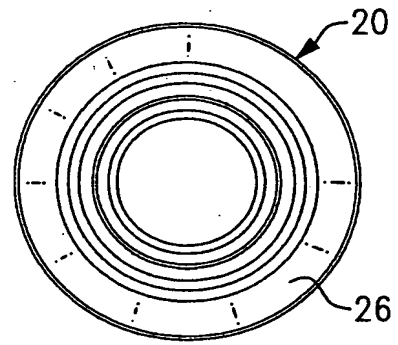


FIG. 2C

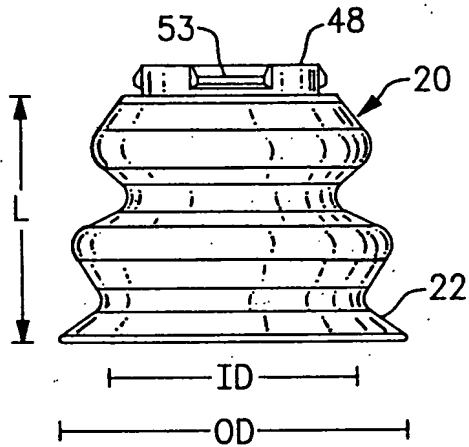


FIG. 2D

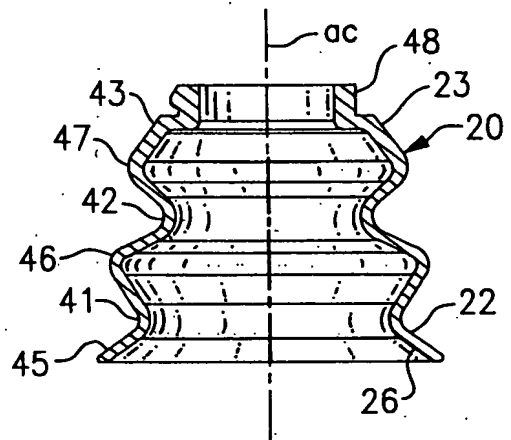


FIG. 2E

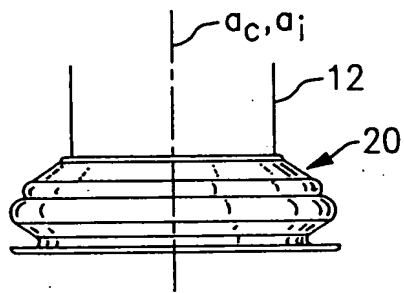


FIG. 2F

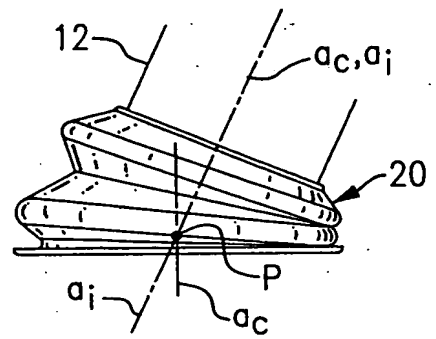


FIG. 2G

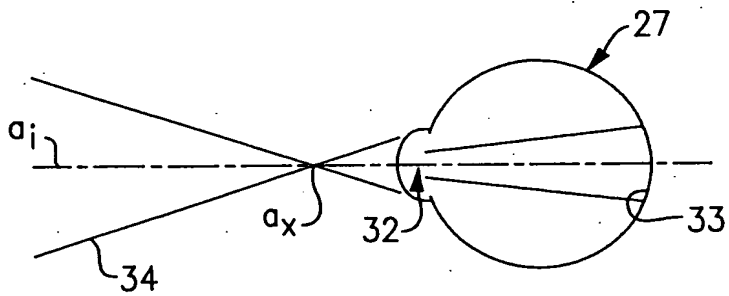


FIG. 3A

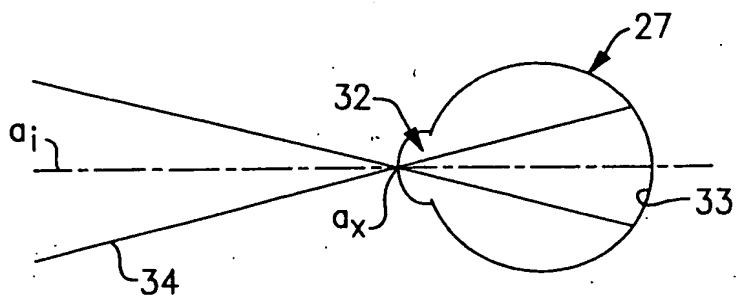


FIG. 3B

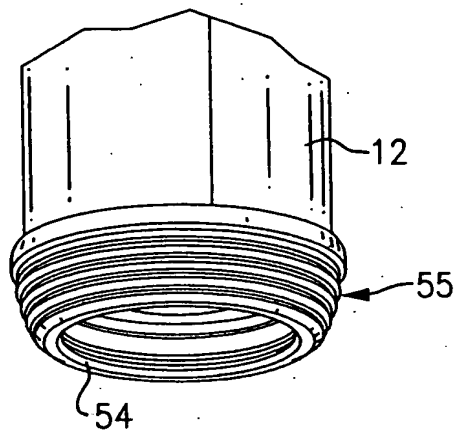


FIG. 4A

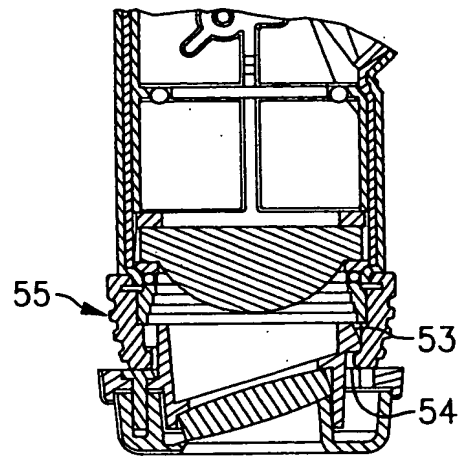


FIG. 4B

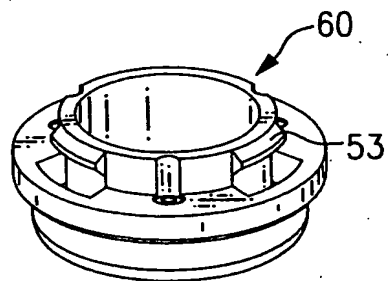


FIG. 4C

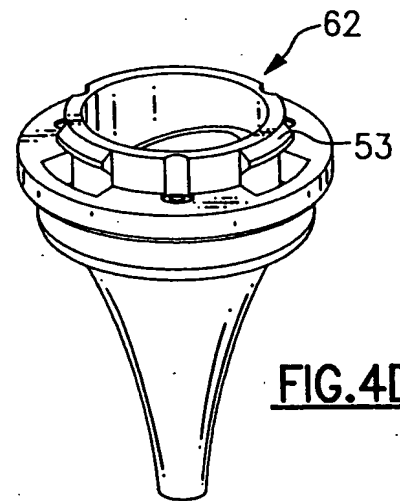


FIG. 4D

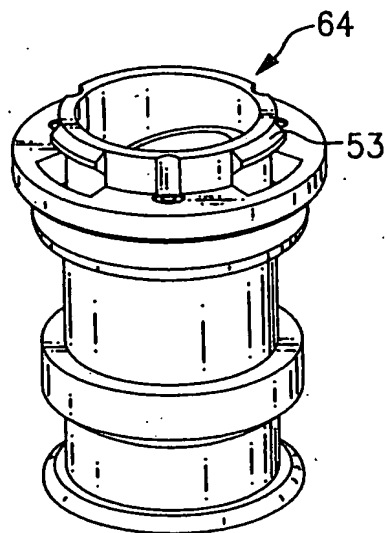


FIG. 4E



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/783,224	02/14/2001 JUN - 8 2001	Steven R. Slawson	281-345

George S. Blasiak
WALL MARJAMA & BILINSKI
101 South Salina Street, Suite 400
Syracuse, NY 13202

WALL MARJAMA & BILINSKI

CONFIRMATION NO. 1587

FORMALITIES LETTER



OC00000006149020

Date Mailed: 06/05/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED
AUG 20 2001
TC 2800 MAIL ROOM